

### **REMARKS**

Claims 22-37 are pending in the application. In the response to the Non-Final Office Action of February 6, 2008, Applicant mistakenly stated that claims 22-31 were pending. However, claims 32-37 were pending in addition to claims 22-31. Claims 22-37 were all submitted as new in the Preliminary Amendment accompanying the Request for Continued Examination filed on November 14, 2007. Because these claims have not been cancelled or withdrawn, they remain pending. The Examiner recognized that all of claims 22-37 are pending and has included rejections of claims 32-37 in the outstanding Office Action mailed November 18, 2008.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 22-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Knight et al. (U.S. Pub. No. 2003/0167345) (hereinafter referred to as Knight-2) in view of Coburn, II et al. (U.S. Pat. No. 6,892,216). This rejection is respectfully traversed.

Neither Knight-2 nor Coburn teaches or suggests "multiple vehicle processors... each adapted to generate diagnostic information indicating success of software installation on the respective vehicle processor," as claim 22 recites. As a result, neither Knight-2 nor Coburn can teach or suggest "an interface processor that... transmit[s] diagnostic information received from the multiple vehicle processors to the portable memory device," as claim 22 recites.

Instead of determining software installation success on **multiple** vehicle processors as in claim 22, Coburn simply teaches updating software on a **single**

common platform 120 to allow the **single** common platform 120 to interact with different equipment sensors. See Col. 6, lines 26-27 and 35-36. In FIG. 2 of Coburn, the common platform 120 serves as an adapter that transmits sensor data from equipment sensors 130 to a host computer 110. The common platform 120 includes a memory 170, which stores interface software, and a micro-controller 200, which executes the interface software. The interface software in the common platform 120 is updated depending on which ones of the equipment sensors 130 the common platform 120 will interface with.

By contrast, claim 22 recites multiple vehicle processors that **each** generate diagnostic information indicating success of software installation. Claim 22 also recites an interface processor that relays the diagnostic information from the multiple vehicle processors and a portable memory device. Unlike Colburn, claim 22 recites that the software installation diagnostic information is generated by the multiple vehicle processors, not by the interface processor.

Coburn does not disclose that the equipment sensors 130 each include a processor, much less that the equipment sensors 130 each generate diagnostic information that indicates success of software installation, as claim 22 recites. Therefore, Coburn is silent with respect to **multiple** vehicle processors **each** adapted to generate diagnostic information indicating success of software installation on the **respective** vehicle processor.

The Examiner relies on Coburn and notes that Knight-2 does not disclose the above limitations. Therefore, for at least these reasons, Applicant respectfully submits that independent claim 22 defines over the cited art. Independent claims 27 and 32 are

allowable for at least similar reasons as claim 22. Claims 23-26, 28-31, and 33-37 ultimately depend from claims 22, 27, or 32 and are therefore in condition for allowance for at least similar reasons.

#### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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